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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,473	10/22/2003	Jason A. Sullivan	11072.6	5959

7590 07/27/2006

KIRTON & McCONKIE
1800 Eagle Gate Tower
60 East South Temple
Salt Lake City, UT 84111

EXAMINER

DUONG, HUNG V

ART UNIT	PAPER NUMBER
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2835

DATE MAILED: 07/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/691,473

Applicant(s)

SULLIVAN, JASON A.

Examiner

Hung v. Duong

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-68 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 56-68 is/are allowed.
- 6) ☒ Claim(s) 1,2,4-7,9,13-17,29,30,45,49,53 and 54 is/are rejected.
- 7) ☒ Claim(s) 3,8,10-12,18-28,31-44,46-48,50-52 and 55 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
- Paper No(s)/Mail Date 5/1/06.

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____


HUNG VAN DUONG
PRIMARY EXAMINER

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2, 4-7, 9, 13-17, 29-30, 45, 49, 53-54 are rejected under 35

U.S.C. 102(e) as being anticipated by Liao (US Pat. 6,377,446).

Regarding claims 1-2, 4-7, 9, 13-17 Liao discloses in figures 1-5 an encasement for a computer processing control unit comprising: a main support chassis 1 having a plurality of wall supports and a plurality of junction centers containing means 14 for supporting a computer component CD-ROM therein; a dynamic back plane that provides support for connecting peripheral and other computing components; and means for cooling the encasement (front ventilation), means for facilitating air flow in and out of the encasement 1; means 11 for further enclosing the main support chassis 1 to form an encasement wherein the means 11 for enclosing the main support chassis 1 comprises one or more end plates wherein the processing control unit comprises a non-peripheral-based design wherein the processing control unit comprises a load bearing

Art Unit: 2835

design capable of receiving and supporting other structure as well as functioning as a load bearing component within a structure (column 1, lines 25-35). The encasement further comprising first, second, and third insert members that removably couple to the wall supports, the insert members providing both functional and aesthetic capabilities to the processing control unit wherein the processing control unit comprises a shape selected from the group consisting essentially of cubical, spherical, conical, triangular, rectangular, and any other conceivable shape capable of housing the processing components wherein the computer processing component comprises a multi-planar printed circuit board configuration wherein the means for supporting a computer component comprises a plurality of channeled board receivers formed within the junction centers wherein the means for supporting a computer component comprises one or more attachment means selected from the group consisting of screws, rivets, snaps, interference fits, snap-in fits, and others; means for coupling or mounting external members to the encasement module, the means functioning to receive one of an insert member, a back plane, a side wall plane, a structure, an element of a structure, a device, another processing control unit, and/or a mounting bracket.

Allowable Subject Matter

2. Claims 3, 8, 10-12, 18-28, 31-44, 46, 48, 50-52, and 55 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Art Unit: 2835

The following is a statement of reasons for the indication of allowable subject matter:

the prior art fails to show that first and second end plates removably coupled to the main support chassis and comprising a plurality of ventilation ports for facilitating the influx of air into and efflux of air out of the encasement, as well as to restrict partial flow of air into the encasement or that the encasement comprises an equivalent height, width, and depth, each that are less than 4 inches or that the main support chassis and its component parts are designed entirely of curves comprising various calculated radii, the radius-based structure providing increased strength and load bearing characteristics to the encasement.

3. Claims 56-68 are allowed.

The following is an examiner's statement of reasons for allowance: the allowability recites at least in part: an encasement for a computer comprising ventilation ports of sufficient size formed at least at perimeter regions of the encasement module to only allow the passage of air into and out of the interior of the encasement module.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Netzel et al (US Pat. 6,574,098) teach handheld computer casing.

Art Unit: 2835

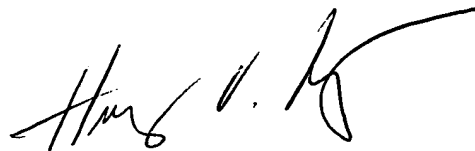
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Duong whose telephone number is (571) 272-2041. The examiner can normally be reached on M-F from 8:30 to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn D. Feild can be reached on (571) 272-2092. The fax phone number for this Group is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (866) 217-9197.

HVD

07/21/06

A handwritten signature in black ink, appearing to read 'Hung D. Duong', with a long horizontal flourish extending to the right.

Hung Duong
Primary Examiner.